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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,836	12/24/2003	Hirokazu Sakai	247085US0	1132
22850	7590	01/25/2010		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
VENKAT, JYOTHSNA A				
ART UNIT		PAPER NUMBER		
1619				
NOTIFICATION DATE		DELIVERY MODE		
01/25/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Examiner-Initiated Interview Summary	Application No.		Applicant(s)	
	10/743,836		SAKAI ET AL.	
	Examiner		Art Unit	
	JYOTHSNA A. VENKAT		1619	

All Participants:

(1) JYOTHSNA A. VENKAT.

(2) Richard Chin.

Date of Interview: 14 September 2009

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

103 and obviousness-type double patenting rejection over U. S. Patent 7,544,648 ('648)

Claims discussed:

as of record

Prior art documents discussed:

as of record.

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/JYOTHSNA A VENKAT /

Primary Examiner, Art Unit 1619

Status of Application: _____

(3) _____

(4) _____

Time: _____

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner informed the attorney that based upon applicants' remarks with respect to unexpected results in the specification, application is in condition for allowance subjecting to submission of terminal disclaimer over patent '648 since the instant claims are obvious over the claims of the patent and co-pending application 12/406,170 and incorporating into claim 1, 0.2-3 % of amphipathic amide lipid A and B in Markush group; incorporating 10-22% of anionic surfactant mixture, which is sodium polyoxyethylene (2) lauryl ether sulfate and sodium lauryl sulfate; incorporating 0.5-2 % of lactic acid and malic acid; incorporating cationic polymers in Markush group format, which are cationized hydroxyethyl cellulose and cationized guar gum and incorporating 0.1-5 % for cationic polymer and incorporating non-ionic surfactant, which is cocoylmonoethanolamide and the amount as 0.1-5 % and cancelling the claims that are redundant. Attorney agreed. Examiner requested the attorney to send the amendment to central fax. Attorney agreed. Examiner reviewed the claims and informed the attorney that claims are not allowable since the amendment of 9/14/09 did not recite the specific anionic surfactant mixture and amendment did not recite in claim 1 specific cationic polymers and specific non-ionic surfactant. Attorney agreed to send another amendment. This amendment was not allowable since claim 1 did not incorporate specific cationic polymers and specific non-ionic surfactant. Attorney informed the examiner that claims can be amended by examiners amendment. Attorney did not agree to delete "salt" after lactic acid and malic acid. Examiner informed the attorney claims recite acid and there are no test results for salts. Attorney did not agree to amend the claims of 9/22/08 with respect to deleting "salt" after malic acid, therefore prosecution is resumed.